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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,655	10/02/2001	Igor A. Shmulevich	VIGN1330-1	5246
25094	7590	05/03/2004	EXAMINER	
GRAY, CARY, WARE & FREIDENRICH LLP			PATEL, ASHOKKUMAR B	
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SUITE 400			ART UNIT	PAPER NUMBER
AUSTIN, TX 78746-6875			2154	5
DATE MAILED: 05/03/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

PL4

Office Action Summary	Application No.	Applicant(s)
	09/682,655	SHMULEVICH ET AL.
	Examiner	Art Unit
	Ashok B. Patel	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 4/05/2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

<ol style="list-style-type: none"> 1)<input type="checkbox"/> Notice of References Cited (PTO-892) 2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. 	<ol style="list-style-type: none"> 4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6)<input type="checkbox"/> Other: _____.
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DETAILED ACTION

1. Claims 1-21 are subject to examination.

Response to Arguments

2. Applicant's arguments filed April 05, 2004 have been fully considered but they are not persuasive for the following reasons: The presentation and logic system of Hutsch employs the capabilities to converts raw data content irrespective of the raw data format, based upon characteristics of the user device, into a page displayable on the user device.([0025]). Hutsch further goes on providing the details on the capabilities of presentation and logic system by stating that it each set of template has a set of content format template sets wherein each content format template set is for a different one of the plurality of different raw data formats. The set of content format templates include a set of device capability specific templates. ([0027]). Therefore, the presentation and logic system of Hutsch employs the capabilities of master template to generate the service templates.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hutsch et al. (hereinafter Hutsch)(US Pub. No. US 2001/0034771).

Referring to claim 1,

The reference teaches:

Providing service data corresponding to a selected service (page 2, para. [0019] and [0020]. Providing a master template wherein the master template contains information corresponding to markup languages and presentation capabilities of a plurality of device type and creating a plurality of service templates, each of which is configured to convert the service data into markup language data adapted to be displayed on a corresponding type of device. (page 2, para. [0025], [0026] and [0030], presentation and logic system is a master template).

Referring to claim 2,

The reference teaches automatically generating the plurality of service templates. (page 5, para. [0096] and page 6, para. [0097], [0098], [0099], [0100] and [0101]).

Referring to claims 3 and 4,

The reference teaches the querying of the specific requirements on the document type (one or more labels corresponding to portions of the service data), and also provides the user with one or more default labels wherein the default labels comprise the tag names for corresponding data in the service data. (page 19, para. [0266], [0267], [02698], and [0269]).

Referring to claim 5,

The reference teaches the master template comprising a plurality of blocks of data, wherein each of the blocks of data provides information for converting a selected portion of the service data into a markup language data adapted to be displayed on a selected type of device. (page 2, para. [0026] and [0030]).

Referring to claim 6,

The reference teaches client system coupled to the network portal system, which incorporates the Presentation, and logic system. (Fig.3A, page 3, para. [0036]). The reference also teaches that the network portal is used for providing the interfacing and aggregation of services via a network and acting as a content switch for appropriate service filters of the system. Thus, the reference teaches that the client (user) is being queried as to whether one or more portions of the service data will be included in the templates. (page 3, para. [0051] and [0052]).

Referring to claim 7,

The reference teaches the web-top manager which is incorporated in the network portal system (Fig. 3A, element 302), includes an user interface which is defined via the templates including XML. (page 6, para. [0099]). Thus, it teaches of the capability of providing the XML service data.

Referring to claims 8,

The reference teaches the formats to be adapted to be displayed the corresponding types of devices include one or more HTML formats and one or more WML formats.(page 2, para. [0030], page 3, para. [0053], page 5, para. [0090], page 8, para. [0128]).

Referring to claim 9,

The reference Hutsch teaches one of the formats adapted to be displayed on the corresponding type of devices comprises XML(page 8, para. [0128]).

Referring to claim 10,

The reference Hutsch teaches:

Providing service data in a first format; for at least a portion of data, (Page 2, para. [0019] and [0020].

Examining the service data to identify name-value pairs,(page 2, para. [0029] and page 19, para. [0267])

Providing a master template containing presentation format information for converting each name-value pair into a plurality of alternate formats, each of which is adapted to be displayed on one of a plurality of clients devices (page2, para. [0025], [0026] and [0030]. Presentation and logic system is a master template); and constructing a plurality of service templates from the presentation format information, wherein each service template is configured to convert the portion of the service data into one of the alternate formats.(page 2, para.[0027]).

Referring to claims 11, 12, 13 and 14,

The reference teaches the querying of the specific requirements on the document type (one or more labels corresponding to portions of the service data), and also provide the user with one or more default labels wherein the default labels comprise the tag names for corresponding data in the service data. (page 2, para. [0029], page 19, para. [0266], [0267], [02698], and [0269]).

Referring to claim 15 and 16,

The reference teaches the plurality of device templates are configured to convert the service data into a plurality of distinct markup language files (page 2, paragraphs [0025], [0026] and [0030]). Presentation and logic system is a master template), wherein the plurality of distinct markup language files comprise at least one form of HTML and at least one form of WML (page 2, para. [0030], page 3, para. [0053], page 5, para. [0090], page 8, para. [0128]).

Referring to claim 17,

The reference teaches the web-top manager which is incorporated in the network portal system (Fig. 3A, element 302), includes an user interface which is defined via the templates including XML. (page 6, para. [0099]). Thus, it teaches of the capability of providing the first format data comprising XML.

Referring to claim 18,

The reference teaches the software resources residing on the display devices include locally stored documents. (page 7, para. [0117]). Also, as taught by the reference, the network portal system provides various services including for the databases. (page 3, para. [0052]). Thus, the reference teaches of the capability of providing the first format data comprising a native database.

Referring to claim 19,

The reference teaches:

Reading service data corresponding to a selected service (Page 2, paragraphs [0019] and [0020]). Selecting information corresponding to markup languages and presentation

capabilities of a plurality of device types and generating a plurality of service templates, each of which is configured to convert the service data into markup language data adapted to be displayed on a corresponding type of device. (page 2, para. [0025], [0026] and [0030]. Presentation and logic system is a selector of information).

Referring to claim 20,

The reference teaches automatically generating the plurality of service templates. (page 5, para. [0096] and page 6, para. [0097], [0098], [0099], [0100] and [0101]).

Referring to claim 21,

The reference teaches the querying of the specific requirements on the document type (one or more labels corresponding to portions of the service data), and also provides the user with one or more default labels wherein the default labels comprise the tag names for corresponding data in the service data. (page 19, para. [0266], [0267], [02698], and [0269]).

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp


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